

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**BYRON KEVIN BEAVER,
ADC # 153230**

PETITIONER

v.

CASE NO. 5:15CV00032 BSM

**WENDY KELLEY, Director,
Arkansas Department of Correction**

RESPONDENT

ORDER

The proposed findings and recommended disposition (“RD”) submitted by United States Magistrate Judge Joe J. Volpe and petitioner’s objections thereto have been reviewed. After careful consideration of these documents and a *de novo* review of the record, the RD are hereby adopted in all respects.

Byron Beaver’s petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, [Doc. No. 2] is dismissed without prejudice. In § 2254 cases, a certificate of appealability may issue only if the petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). As there is no issue on which Beaver has made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied. All other pending motions are denied as moot.

IT IS SO ORDERED this 30th day of June 2015.


UNITED STATES DISTRICT JUDGE

